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Commission on the Status of Women
Fifty-fifth session
22 February-4 March 2011
Item 3 (a) of the provisional agenda*
Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century": implementation of strategic objectives and action in critical areas of concern and further actions and initiatives

Statement submitted by Human Rights Advocates, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* E/CN.6/2011/1.

10-65604 (E) 130111

Please recycle

Statement

Addressing access and attainment of education and employment as means for preventing human trafficking

1. Human Rights Advocates is a non-profit organization, dedicated to promoting and protecting international human rights in the United States of America and abroad. Although there are many methods to reducing the occurrence of forced labour, the present statement focuses on the access and attainment of education by girls and gainful employment by women as a means of preventing vulnerability to human trafficking.

2. Because human trafficking operates in the private sphere, reliable numbers on victims are hard to come by. According to the *United States Department of State Trafficking in Persons Report* (2008 and 2010) most worldwide estimates hover around 800,000 persons per year trafficked globally, with 12.3 million people in some form of slavery at any given moment. Women account for at least 56 per cent of trafficking victims worldwide and represent an overwhelming majority of sex trafficking and domestic worker trafficking victims.

3. While poverty is a root cause of human trafficking, it is the lack of employment opportunities at home combined with a desire to seek out potential employment opportunities in other countries that helps create vulnerability to human trafficking. Even when the risk of human trafficking is known, economic desperation drives people to take risks involving their personal safety. Sex trafficking and domestic labour trafficking in particular are driven by gender disparity and lack of education, but most of all by a lack of viable employment.

4. Other human rights issues exacerbate human trafficking. Statelessness increases vulnerability since lack of identification and migration documentation make it less likely that a trafficking victim will seek out government resources. Armed conflict and natural disasters increase vulnerability to trafficking as people are forced to flee from their homes and communities. This displacement separates people from their sources of income, traditional social networks, language and health services, among other things. The lack of these crucial services increases the likelihood that vulnerable people will choose employment and migration where the risks are larger due to unknown working conditions. Physical and mental disabilities also increase vulnerability to trafficking. In communities where most residents are just subsisting, people with disabilities are even more marginalized since their "otherness" prohibits them from availing themselves of whatever education and employment may be available. This marginalization makes disabled individuals particularly attractive to traffickers, who may view them as being easier to control.

5. Human trafficking and forced labour occur in nearly every country: from the United States of America where estimates range from 20,000 to 50,000 victims trafficked annually, to rising economic powerhouse countries like Brazil with a huge child sex trafficking problem (between 250,000 and 400,000 children annually), to the Russian Federation where estimates range from 35,000 to 60,000 women trafficked annually. Because human trafficking is a "hidden" crime and systematic reporting of trafficking is not yet standardized, it is safe to assume those statistics are conservative estimates.

Access to education and employment

6. In many parts of the world, there is a distinct lack of will to educate girls. In agricultural societies especially, parents prioritize traditional gender roles in which daughters forgo education in order to stay at home, help raise their siblings and perform household labour while sons are sent to school. This cycle perpetuates gender stereotypes that contribute to girls and women being valued primarily as domestic workers and sex workers.

7. Increased access to education, by itself, will only ameliorate part of the human trafficking situation. For example, even well-educated middle-class women from the former Soviet bloc countries are vulnerable to sex trafficking. The fall of communism had an exponentially negative effect on women owing to the severe conservative backlash that accompanied the privatization of the economy.[1] The new private market economy retained male-dominated industries and provided better opportunities for men, leading to unemployment rates of up to 80 per cent for women and a 40 per cent reduction in wages comparable to men.[2] It is imperative that human trafficking prevention programmes address the needs for women to achieve gainful employment with a fair, liveable wage.

8. Sixty per cent of primary school-age children who are not in school are girls. This lack of educational access robs girls of very real gains that decrease vulnerability, improved health, fertility, improved community status and continued educational gains in future generations.

9. Access to and attainment of gainful employment provide opportunities for women to not only increase their financial situation and self-sufficiency but also to improve their state of health, community status and the educational opportunities for their children.

Prevention

10. Most of the legal frameworks regarding human trafficking legislation on both national and international levels involve the "three Ps": prosecution of traffickers, protection of trafficking victims and a prevention strategy. While there has been a marked increase in anti-trafficking legislation worldwide and a growing recognition of the need for comprehensive victim services, prevention strategies are still focused heavily on awareness-raising campaigns. Although attainment of education and gainful employment is promoted as a necessary ingredient in prevention, to date there has been no comprehensive push to prioritize education and employment as a primary means of attacking the root cause of human trafficking.[3]

11. While many legal instruments addressing human trafficking contain specific provisions for prevention, the language of these provisions does not clearly require State action, unlike prevention and protection provisions which require the State to take positive steps. The vagueness of the requirements regarding prevention decreases the incentive for States to implement effective programming since they

[1] Kathryn Farr, *Sex Trafficking: The Global Market in Women and Children* (New York, Worth Publishers, 2005).

[2] Ibid.

[3] Jonathan Todres, "The importance of realizing 'other rights' to prevent sex trafficking", Cardozo *Journal of Law and Gender*, vol. 12 (2006).

often include increased associated costs as well as outcomes with less visceral impact than imprisoning traffickers or rehabilitating trafficking survivors.

12. Strengthening human trafficking prevention programmes by focusing on the right to education and the right to gainful employment not only decreases girls and women's vulnerability to traffickers but positively combines with other gender equity goals, including increased self-sufficiency, decreased gender-based violence and decreased gender discrimination and contributes to broader goals such as increased access to health, peacebuilding and economic development.

13. As prevention methods, education and gainful employment increase standards of living that help keep women and girls out of the reach of traffickers. When girls have access to education, they are physically protected in classrooms and psychologically building a sense of agency through their academic achievements. Skill-building and job training provide tools for women to manifest their sense of agency and self-sufficiency. However, these important accomplishments will mean very little if there are no jobs or other employment opportunities for them to take advantage of.

14. Potential victim-centred strategies that work take a holistic approach to preventing human trafficking by addressing education, child care, skills training, job creation and community capacity-building. By addressing the various root causes surrounding poverty, effective prevention programmes create an environment that can promote a cultural shift in valuing the lives of girls and women. In addition, prevention programming that involves the presence of sponsors and leaders working directly with vulnerable populations helps to provide positive examples that combat stereotypes of women.

15. Therefore, Human Rights Advocates requests that the Commission on the Status of Women consider including the following recommendations in the agreed conclusions for its fifty-fifth session:

(a) Member States should make the prevention of human trafficking a priority, on par with prosecution and protection, by undertaking positive measures through affirmative language in domestic legislation and international instruments;

(b) The Commission should create and promote worldwide best practices on current education and employment programmes that are designed to ameliorate and prevent vulnerability to trafficking. Although each region will have site-specific programmes tailored to individual cultural groups, a compendium should be developed in consultation with international organizations such as the United Nations Office on Drugs and Crime, which is currently working on the ground in human trafficking prevention;

(c) The Commission should include human trafficking prevention (and its focus on reducing vulnerability) as a key strategy in gender equity programming. The trafficking prevention strategy of educating girls and providing meaningful employment to women doesn't just prevent human trafficking; it cuts across many long-standing and laudable human rights goals, such as education, reducing violence against women, increasing financial self-sufficiency and reducing stereotypes and gender discrimination.

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Statement submitted by IPAS, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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Statement

1. The Beijing Platform for Action, in paragraph 108 (q), calls on Governments to collaborate with non-governmental organizations, the mass media, the private sector and international organizations to "Adopt specific preventive measures to protect women, youth and children from any abuse — sexual abuse, exploitation, trafficking and violence, for example — including the formulation and enforcement of laws, and provide legal protection and medical and other assistance." This was reiterated in resolution 54/2 on women, the girl child and HIV and AIDS, adopted by the Commission on the Status of Women in 2010, in which the Commission urged Governments to "strengthen and implement legal, policy, administrative and other measures for the prevention and elimination of all forms of violence against women and girls". In 2008, the United Nations Secretary-General launched a multi-year campaign to intensify efforts to end violence against women and girls.

2. Moreover, although violence against women is not specifically highlighted in the Millennium Development Goals, it is related to Goals 1 to 6. The World Health Organization (WHO) has pointed out that such violence was intimately associated with complex social conditions such as poverty, lack of education, gender inequality, child mortality, maternal ill-health and HIV/AIDS.

3. The consequences of sexual violence against young women continue to be particularly devastating; in addition to psychological and emotional damage, their reproductive health is affected in multiple ways.

4. In some places, adolescents who have been raped may be blamed for the crime rather than treated as victims and then they are murdered in horrific so-called "honour killings". So-called "proof" of their culpability can comprise being seen in the company of a male who is not an immediate family member, becoming pregnant or having an abortion.

5. Young pregnant women who suffer domestic abuse, including physical violence, may lose their babies as a result, and some studies have shown that domestic abuse may increase in frequency and severity during pregnancy. Sexual violence may further contribute indirectly to spontaneous abortion through the transmission of syphilis which, when untreated, increases the risk of miscarriage.

6. Many young women who are in situations of ongoing domestic abuse or in areas of conflict where sexual violence is used as a weapon of war are unable to use contraceptives to prevent HIV or other sexually transmitted infection or pregnancy. Those who suffered incest or rape as children may subsequently be prone to inconsistent or non-use of contraception as a result of the abuse. Forced sex is tragically a common phenomenon in countries around the world. WHO has reported that many women's first sexual experience was not consensual, with percentages ranging from 24 per cent in rural Peru to as high as 40 per cent in South Africa. Moreover, women living in conflict areas often become pregnant, sometimes more than once, as victims of rape being used as a weapon of war.

7. These young women subsequently may be denied emergency contraception by health-care providers because of their age, marital status or moralistic arguments and then suffer unwanted pregnancies, which often lead to unsafe abortions in the many countries where abortion is legally restricted. Not only are their rights to health and life denied: refusal to provide or fund emergency contraception and safe

abortion for women in humanitarian situations also constitute discriminatory treatment of persons protected under the Geneva Conventions.

8. Unsafe abortion accounts for approximately 13 per cent of global maternal deaths, with higher proportions in many developing countries (e.g., Argentina, with 20 per cent). Women younger than 24 account for almost 46 per cent of these deaths worldwide, with rates as high as 59 per cent for women aged 25 years and younger in Namibia.

9. Young women presented with complications of unsafe induced abortions to end unwanted pregnancies may also suffer discrimination and psychological violence within health and legal systems, being intimidated, chastized on "moral grounds" and threatened with legal action in areas where abortion is restricted by insensitive service providers. Service providers may further humiliate them, provide inadequate anaesthesia and care, and charge excessive fees.

10. Some Governments have ensured that female survivors of sexual violence, including adolescents, can receive comprehensive post-rape care to deal with possible HIV and other sexually transmitted infection and unwanted pregnancies. For example, the Supreme Court of Mexico recently reaffirmed the right of women throughout the country to services including emergency contraception and safe abortion care. Non-governmental organizations and multilateral agencies also have taken measures to assist survivors of rape in conflict areas. Doctors without Borders, for example, has provided post-exposure prophylaxis, emergency contraception and safe abortion care to survivors of rape in the Congo since 2006, while a new field guide produced by the Inter-agency Working Group on Reproductive Health in Crises covers comprehensive sexual and reproductive health in humanitarian situations, including contraception and safe abortion care.

11. Governments must ensure that the following measures are taken, both for their own citizens and for adolescent and adult women living in States that receive development assistance from them:

(a) **Ensure that survivors of rape and incest are offered comprehensive care and recuperation services, including treatment of injuries, post-exposure prophylaxis for HIV, screening and treatment for sexually transmitted infections, emergency contraception or safe abortion care for women not wanting to carry resultant pregnancies to term, psychological aid and legal assistance;**

(b) **Include the links between violence, unwanted pregnancy, spontaneous and induced abortions and inadequate post-abortion care in research on violence against women and girls;**

(c) **To reduce pregnancy- and abortion-related morbidity and mortality, ensure that health systems train and equip health-service providers to address violence, especially in antenatal, gynaecological and emergency care settings. A gender- and human rights-based perspective must be the basis for such training;**

(d) **To reduce the number of unwanted pregnancies resulting from rape and incest, ensure that organizations in the social, law enforcement and health sectors train their officials and staff to facilitate adolescent and adult women's**

access to emergency contraception and legal abortion by making appropriate referrals and providing prompt care;

(e) Where abortion is legally permitted, remove barriers limiting adolescent and adult women's access to safe and affordable abortion services;

(f) Amend legislation criminalizing abortion in order to remove punitive measures against women who undergo abortion.

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Statement submitted by the International Federation of Women in Legal Careers, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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Statement

The International Federation of Women in Legal Careers:

- Has analysed the priority theme of the fifty-fifth session of the Commission on the Status of Women, "Access and participation of women and girls to education, training, science and technology, including for the promotion of women's equal access to full employment and decent work".
- Reaffirms that the right to education is a fundamental human right, as consecrated in article 26 of the Universal Declaration of Human Rights, articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights, articles 5 and 10 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 28 and 29 of the Convention on the Rights of the Child.
- Considers women and girls' education as the most powerful tool to obtain empowerment of women and gender equality, and consequently to combat gender violence.
- Reaffirms that attaining the Millennium Development Goals, in particular Goals 2 and 3, will require the total eradication of all discrimination against women and girls and their full participation in all decision-making processes.
- Regards as essential, in order to achieve the above-mentioned goals, that sexism, all kinds of stereotypes related to the traditional roles of women and men and gender bias be eradicated from all educational programmes.
- Therefore wishes to reaffirm general recommendation No. 3 adopted by the Committee on the Elimination of Discrimination against Women at its sixth session in 1987, in which the Committee, "Further considering that, although the reports have come from States with different levels of development, they present features in varying degrees showing the existence of stereotyped conceptions of women, owing to socio-cultural factors, that perpetuate discrimination based on sex and hinder the implementation of article 5 of the Convention, [urged] all States parties effectively to adopt education and public information programmes, which will help eliminate prejudices and current practices that hinder the full operation of the principle of the social equality of women".
- Thinks, consequently, that equality and its values should be taught from childhood, in every school, as education for equality is the major instrument in fighting gender violence.
- Believes that it is the establishment of conditions for economic, social and cultural development everywhere in the world which makes possible the exercise and enjoyment of all the human rights of women and men in liberty and equality.
- Thinks that all States should take all appropriate measures in order to guarantee that all teachers, at all levels of education, give instruction in women's human rights, equality and, in countries with a large immigrant population, knowledge of the different cultures.

- Considers also that all States should take all appropriate measures in order to guarantee mandatory school attendance by girls, especially in cases of pregnancy, HIV/AIDS or extreme poverty.

- Has examined the documents produced by the Expert Group Meeting on Gender, Science and Technology and wishes to express its agreement with the background paper presented by the United Nations Educational, Scientific and Cultural Organization, "Women's and girls' access to and participation in science and technology".[1]

- Given the current economic and financial crisis, regards as more important than ever that all States should make an effective commitment to the creation of mechanisms for full employment and decent work.

- Makes an appeal to all States to give social and responsible investment greater priority and to allocate appropriate resources for women and girls to have access to credit and financial assets and to promote their education in all areas, including in the financial industry, so that women can advance to leadership positions within it.

- Recommends the drafting of an international convention that will establish some new rules regarding financial transactions in order to give security and transparency to the financial markets.

- Urges States to direct the competent executive, legislative and judicial authorities to take all necessary measures to allocate adequate budgetary funds to effectively promote and protect the human rights of women and girls.

[1] Available from www.un.org/womenwatch/daw/egm/gst_2010/UNESCO-BP.2.-EGM-ST.pdf.

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Statement submitted by Fédération européenne des femmes actives au foyer, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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Please recycle

Statement

1. Improving the educational outcomes of women and girls is one of the most important cross-cutting issues and a major focus for action in strategic objective B of the Beijing Platform for Action, as well as for progress and development generally.

Priorities of the Fédération européenne des femmes actives au foyer

- Educational outcomes, including cognitive, social and academic development, rather than simply the incomes of the women and children concerned, should be the focus of intervention by Member States.

- The importance of maternal education cannot be understated: children's educational outcomes are highly associated with maternal education levels. Parents represent the greatest single influence on, and variation in, the educational attainment of their children, and should be supported as the primary educators of their children. All children and their mothers should have at least a basic level of literacy and numeracy, as well as technological literacy. For children, the primary education system should be a key vector for delivery; lifelong learning and community education programmes, with flexible provisions for course delivery, should be developed to target mothers who require numeracy and literacy support (see paras. 69 and 82 (a) and (b) of the Beijing Platform for Action).

- Priority should be given to the development of flexible programmes to recognize and certify the skills and competencies acquired during periods of caregiving applicable to the lifelong and further educational system as well as reinsertion into the labour market (see paras. 73 and 88 (a) and (c) of the Platform for Action).

- Family caregivers require training and education in support of their important work in raising and educating children, and in supporting and caring for disabled and elderly family members in need of care. Tailored education and training programmes are required to enable caregivers to carry out their work for the benefit of those in need of care, education and support, in a context of ensuring positive outcomes for caregivers.

- The relatively slow progress in this area is due partially to the invisibility of unpaid caregiving. Therefore, the Fédération européenne des femmes actives au foyer seeks the implementation of strategic objective H.3 of the Platform for Action through efforts to quantitatively and qualitatively reflect unremunerated work in relevant socio-economic statistics prepared by United Nations agencies and Member States. The Fédération européenne des femmes actives au foyer further calls on the Economic and Social Council and the Statistical Commission to coordinate the development of satellite GDP, time-use survey and census indicators on unremunerated caregiving and related work and asks that UN Women prioritize this issue. The Fédération européenne des femmes actives au foyer wishes to highlight the work of the United Nations Development Programme (UNDP) with regard to unpaid caregiving and emphasize the potential of the UNDP policy approach of recognition for unpaid work as one of three key priorities underpinning development. These are examples of good practice that could be replicated

across the United Nations system and by Member States. Finally, the Fédération européenne des femmes actives au foyer wishes to highlight the good practices developed in Ireland with regard to statistics on unpaid work.